

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Document #

32

U. S. A.

-v-

KARRON

U.S.C.A. #

U.S.D.C. #

07 - cr - 0541

11 - cv - 1874*

JUDGE :

Robert P. Patterson

DATE :

June 05, 2012

INDEX TO THE RECORD ON APPEAL



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DISTRICT COURT DOCKET ENTRIES

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(☒) ORIGINAL RECORD

[4 VOLUMES]

The record in the above entitled case was indexed to the U.S.C.A.
for the Second Circuit on the 5th Day of JUNE, 2012

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Robert P. Patterson

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CLERK'S CERTIFICATE

I, Ruby J. Krajick, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 through , inclusive, constitutes the Original Record On Appeal in the above entitled proceedings except for the following missing documents:

Date Filed

Document Description

CLERK'S CERTIFICATE

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In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 5th Day of June, In this year of our Lord, Two Thousand and Twelve, and the Independence of the United States this 236TH year.

Ruby J. Krajick, Clerk

By

Deputy Clerk

CLOSED, APPEAL, ECF

**U.S. District Court
Southern District of New York (Foley Square)
CRIMINAL DOCKET FOR CASE #: 1:07-cr-00541-RPP-1**

Case title: USA v. Karron
Related Case: 1:11-cv-01874-RPP

Date Filed: 06/13/2007
Date Terminated: 10/23/2008

Date Filed	#	Docket Text
06/13/2007	1	INDICTMENT FILED as to Daniel B. Karron (1) count(s) 1. (jm) (Entered: 06/13/2007)
06/20/2007		Minute Entry for proceedings held before Judge Robert P. Patterson :Initial Appearance as to Daniel B. Karron held on 6/20/2007. (bw) (Entered: 06/26/2007)
06/20/2007		Minute Entry on 'District Judge Bail Disposition Sheet' for proceedings held before Judge Robert P. Patterson :Bond Hearing as to Daniel B. Karron held on 6/20/2007. For the Govt, AUSA Steve Kwok. For deft Karron, Atty Ronald Rubinstein. Bail Disposition: Deft to be released today on his own recognizance. Deft is to surrender passport and make no new applications for a passport. Deft's travel limits are restricted to the District of Columbia; Philadelphia, PA; District of Connecticut; SDNY. A \$50,000 PRB cosigned by 2 sureties acceptable to the Govt is to be signed within 10 days. (Signed by Judge Robert P. Patterson on 6/20/07) (bw) (Entered: 06/26/2007)
06/20/2007	4	ADVICE OF PENALTIES AND SANCTIONS as to Daniel B. Karron. Defendant Released. (bw) (Entered: 06/26/2007)
06/20/2007		Minute Entry for proceedings held before Judge Robert P. Patterson :Arraignment as to Daniel B. Karron (1) Count 1 held on 6/20/2007. Deft, produced by US Marshals, present w/his atty Ron Rubinstein, AUSA Steve Kwok present. PTS Officer Mildred Santana present. The deft makes first appearance, atty Rubinstein has been retained by the deft. The deft is then arraigned and enters a plea of not guilty. Court accepts plea of not guilty. Discovery is to be completed by 7/11/07, conference is scheduled for 8/8/07 at 4 p.m., Defense counsel is to advise at that time if motions are to be filed. All time is excluded, IOJ, through 8/8/07. Counsel have agreed on bail and a bail application is made. Court grants bail application as follows: Deft is to be released today on his own recognizance. The deft is to surrender passport & no new applications for a passport. Deft's travel limits are restricted to: the district of Columbia; Philadelphia, PA; District of Connecticut and SDNY. A \$50,000.00 PRB cosigned by 2 sureties acceptable to the Govt is to be signed within 10 days. (bw) (Entered: 06/26/2007)
06/20/2007		Minute Entry for proceedings held before Judge Robert P. Patterson : Plea entered by Daniel B. Karron (1) Count 1 -- Not Guilty. (bw) (Entered: 06/26/2007)
06/20/2007		ORAL ORDER as to Daniel B. Karron. Time excluded from 6/20/07 until 8/8/07. Discovery due by 7/11/2007. Pretrial Conference set for 8/8/2007 at 04:00 PM before Judge Robert P. Patterson. (bw) (Entered: 06/26/2007)
06/20/2007		Attorney update in case as to Daniel B. Karron. Attorney Ronald Rubinstein for Daniel B. Karron added.. (pr) (Entered: 12/05/2007)
06/21/2007	3	ENDORSED LETTER as to Daniel B. Karron addressed to Judge Patterson from Attorney Ronald Rubinstein dated 6/20/07 re: submitted to request permission for the deft to travel to the Eastern District of New York. ENDORSEMENT: Application granted. (Signed by Judge Robert P. Patterson on 6/20/07)(bw) (Entered: 06/21/2007)
06/25/2007	5	(S1) SUPERSEDING INDICTMENT FILED as to Daniel B. Karron (1) count(s) 1s. (ja) (Entered: 06/27/2007)
07/24/2007		Minute Entry for proceedings held before Judge Robert P. Patterson :Arraignment as to (S1-07-Cr-541) Daniel B. Karron (1) Count 1s held on 7/24/2007. Deft present w/atty Ronald Rubinstein. AUSA Steve Kwok present. Deft is arraigned and enters plea of not guilty. Court accepts plea. Conference is held, letter (motion) due from deft 8/1/07 requesting additional outstanding discovery, Govt reply due 8/8/07. All time is excluded, IOJ, until Court renders decision on motion for additional discovery. The deft's bail is continued. (bw) (Entered: 08/01/2007)
07/24/2007		Minute Entry for proceedings held before Judge Robert P. Patterson : Plea entered by Daniel B. Karron (1) Count 1s -- Not Guilty. (bw) (Entered: 08/01/2007)
07/24/2007		ORAL ORDER as to Daniel B. Karron. Time excluded from 7/24/07. Motions (by Deft) due by 8/1/2007. Responses (by Govt) due by 8/8/2007. (bw) (Entered: 08/01/2007)
08/01/2007	6	TRANSCRIPT of Proceedings as to Daniel B. Karron held on 06/20/07 before Judge Robert P. Patterson. (es) (Entered: 08/01/2007)
08/06/2007	7	ENDORSED LETTER as to Daniel B. Karron addressed to Judge Patterson from Attorney Ronald Rubinstein dated 8/3/07 re: submitted to request permission for deft Karron to travel to Anaheim, California, to attend the Defense Advanced Research Projects Agency Conference, from 8/5/07 until 8/12/07. Counsel also requests that Dr. Karron be excused from any court appearances on these days. ENDORSEMENT: So Ordered. (Signed by Judge George B. Daniels on 8/3/07)(bw) (Entered: 08/07/2007)
08/07/2007	8	ENDORSED LETTER as to Daniel B. Karron addressed to Judge Patterson from Attorney Ronald Rubinstein dated 8/3/07 re: submitted to request permission for deft Karron to travel to Anaheim, California, to attend the Defense Advanced Research Projects Agency Conference, from 8/5/07 until 8/12/07. Counsel also requests that Dr. Karron be excused from any court appearances on these days. ENDORSEMENT: So Ordered. (Signed by Judge George B. Daniels on 8/3/07)(bw) (Entered: 08/07/2007)
08/08/2007	9	TRANSCRIPT of Proceedings as to Daniel B. Karron held on 7/24/07 before Judge Robert P. Patterson. (jbe) (Entered: 08/08/2007)
08/08/2007		Minute Entry for proceedings held before Judge Robert P. Patterson :Pretrial Conference as to Daniel B. Karron held on 8/8/2007. Deft not present (presence waived for this conference), attorney Ron Rubinstein present. AUSA Steve Kwok present. Conference is held, deft to provide information regarding where additional discovery he is requesting may be found on the supercomputers seized by the Govt. Next conference is scheduled for 8/27/07 at 4 p.m. All time is excluded, IOJ, through 8/27/07. Deft's bail is continued. (bw) (Entered: 08/13/2007)
08/08/2007		ORAL ORDER as to Daniel B. Karron. Time excluded from 8/8/07 until 8/27/07. Pretrial Conference set for 8/27/2007 at 04:00 PM before Judge Robert P. Patterson. (bw) (Entered: 08/13/2007)
08/20/2007	10	ENDORSED LETTER as to Daniel B. Karron, addressed to Judge Patterson, from Chi T. Steve Kwok, AUSA, dated 8/17/07 re: request that the status conference scheduled for 8/27/07 be adjourned to 8/29/07 at 4 p.m., and also request that the time be excluded until 8/29/07. -- Judge endorsed: Application granted. SO ORDERED. Status Conference set for 8/29/2007 at 04:00 PM before Judge Robert P. Patterson. (Signed by Judge Robert P. Patterson on 8/20/07)(ja) (Entered: 08/21/2007)
08/29/2007		Minute Entry for proceedings held before Judge Robert P. Patterson :Status Conference as to Daniel B. Karron held on 8/29/2007. Deft present w/atty Ron Rubinstein. AUSA's Steve Kwok & Matthew Schwartz present. Conference is held. Counsel are to submit a letter by 9/17/07 regarding their agreement on an expert to extract the computer files to be reviewed and include in the letter a schedule for review of these files. The Govt will turn over supplemental discovery to the deft as requested. AUSA Schwartz notifies the Court that the Govt will be filing a civil action with regards to this deft. Upon filing of the civil action, the Court will determine if it will accept the case or reassign it to another judge. The deft's bail is continued. (bw) (Entered: 08/31/2007)
09/05/2007	11	TRANSCRIPT of Proceedings as to Daniel B. Karron held on August 8, 2007 before Judge Robert P. Patterson. (bw) (Entered: 09/05/2007)
09/13/2007	12	Letter by Daniel B. Karron addressed to Judge Patterson from Attorney Ronald Rubinstein dated 9/10/07 re: submitted in support of the "Digital Fist" information Security, E-Discovery synopsis. (bw) (Entered: 09/13/2007)
09/13/2007	13	Letter as to Daniel B. Karron addressed to Judge Patterson, from Ronald Rubinstein, Atty for dft, dated 9/7/07, re: informing the Court of the current status of discovery. The Gov't has approved the company of Digital First Discovery to retrieve the e-discovery from Dr. Karron's seized computers. I have not yet been able to contact them today. My office will be in contact with Digital First Discovery on 9/10/07.... (ja) (Entered: 09/14/2007)
09/24/2007	14	TRANSCRIPT of Proceedings as to Daniel B. Karron held on 8/29/07 before Judge Robert P. Patterson. (jbe) (Entered: 09/24/2007)

09/25/2007	<u>15</u>	ENDORSED LETTER as to Daniel B. Karron, addressed to Judge Patterson, from Chi T. Steve Kwok, AUSA, dated 9/24/07, re: request that the Court set a control date of 10/8/07, and exclude time until 10/8/07, pursuant to the Speedy Trial Act. - Judge endorsed: Application Granted. Time is excluded under the STA until 10/8/07. So ordered. (Signed by Judge Robert P. Patterson on 9/24/07)(ja) (Entered: 09/25/2007)
10/09/2007		Minute Entry for proceedings held before Judge Robert P. Patterson :Status Conference as to Daniel B. Karron held on 10/9/2007, as to Daniel B. Karron; Status Conference set for 10/12/2007 at 09:30 AM before Judge Robert P. Patterson. Deft present with atty Rubinstein. AUSA Kwok present. Conference is held, next conference is scheduled for 10/12/07 at 9:30am. All time is excluded, IOJ through 10/12/07. (jw) (Entered: 10/15/2007)
10/12/2007		Minute Entry for proceedings held before Judge Robert P. Patterson :Pretrial Conference as to Daniel B. Karron held on 10/12/2007. Dft Daniel B. Karron initially not present, atty Rubinstein present. AUSA Kwok present. Defense cnsl waives the presence of the dft. Conference begins, during the conference the dft arrives and is present. Court finds that the dft can be present along with the Digital First designated computer expert to review and copy the computer files deemed relevant by the defense. The dft will not be operating the computer during this review. Financial terms to be worked out by the dft to pay Digital First. The Gov't is to prepare an order to be signed regarding the terms outlined at this conference. Discovery, computer review, to be completed by 11/1/2007. T/E through 10/12/07. The dft's bail is continued. (ja) (Entered: 10/17/2007)
10/15/2007	<u>16</u>	ORDER as to Daniel B. Karron. Upon the request of Daniel B. Karron, the dft, and through his atty Ronald Rubinstein, Esq, request to retrieve and copy certain files purportedly material to his defense currently stored in the computer, data drives, and other electronic storage devices, seized by federal law enforcement agents on or about 6/26/07. It is found the the duplication process be handled by a qualified computer forensic expert, Art Ehuan; It is further found that the dft has consented to bear the full cost of the duplication process. Its is further found that the dft has consented to provide the Gov't with exact electronic copies; Therefore, it is ORDERED that the retrieval and duplication of the computer files begun forthwith and completed no later than 11/1/07; It is further ORDERED that while the dft may be present during the duplication process to assist Mr. Ehuan and his designated representatives in identifying specific files to be retrieved and duplicated, the dft shall not operate any of the Computer Equipment at any time, shall conduct himself in a manner that does not interfere with the duplication process, and shall comply with all instructions given by Mr. Ehuan and his designated representatives. (Signed by Judge Robert P. Patterson on 10/15/07)(ja) (Entered: 10/16/2007)
10/15/2007	<u>17</u>	ENDORSED LETTER as to Daniel B. Karron, addressed to Judge Patterson, from Ronald Rubinstein, Atty for dft, dated 8/3/07, re: request to have the scheduled 10/16/07 meeting originally scheduled for 9 a.m. be postponed until 3:30 of the same day. - Judge endorsed: So ordered. Pretrial Conference set for 10/16/2007 at 03:30 PM before Judge Robert P. Patterson. (Signed by Judge Robert P. Patterson on 10/15/07)(ja) (Entered: 10/16/2007)
10/16/2007		Minute Entry for proceedings held before Judge Robert P. Patterson :Status Conference as to Daniel B. Karron held on 10/16/2007. Deft present with atty Rubinstein. AUSA Kwok present. Deft appears to be sworn to his financial affidavit completed on 10/12/07 with regards to his financial ability to pay the computer company, Digital First, in connection with computer work to be completed by November 1, 2007. The deft is sworn to the affidavit. The deft's bail is continued. (jw) (Entered: 10/17/2007)
10/16/2007	<u>18</u>	CJA 23 Financial Affidavit by Daniel B. Karron. (Signed by Judge Robert P. Patterson) (jw) (Entered: 10/17/2007)
11/06/2007		Minute Entry for proceedings held before Judge Robert P. Patterson :Pretrial Conference as to Daniel B. Karron held on 11/6/2007. Dft Daniel B. Karron present w/atty Rubinstein. AUSA Kwok present. The scheduled computer review has not been concluded due to the inability of the dft to provide funding. The Court will order the Govt to provide funding for the review subject to a lien on the apartment the dft is selling that will result in the Govt being reimbursed for their advance of the computer review cost. Discovery is extended to 11/20/2007, the following is to be submitted: 1) Order regarding sale of the dft's apartment; 2) Revised Order regarding discovery process; and 3) Note for Dr. Karron to sign regarding the sale of his apartment and reimbursement to the Govt for advance provided for computer review. Time is excluded, IOJ, through 11/20/07. Please note due to a clerical error, the minute entry for 10/12/07 notes that time was to be excluded through 10/12/07 - time should actually have been excluded through 11/1/07. (ja) (Entered: 11/07/2007)
11/07/2007	<u>19</u>	TRANSCRIPT of Proceedings as to Daniel B. Karron held on 10/12/07 before Judge Robert P. Patterson. (db) (Entered: 11/07/2007)
11/07/2007	<u>20</u>	ORDER as to Daniel B. Karron....[See Order]... Therefore, it is ORDERED that the Govt pay Digital First Discovery the necessary fees for the duplication process up to \$30,000, so that the duplication process can begin forthwith and be completed by 11/20/07; It is further ORDERED that the deft execute a note agreeing to reimburse the Govt for the cost of the duplication process, with interest, up to \$30,000; It is further ORDERED that the Deft take all necessary steps forthwith, including, but not limited to, the public listing of the property, to effectuate a sale of his condominium located at 300 East 33rd Street, Unit 4N, New York, NY 10016, in order to secure the necessary funds to reimburse the Govt for the cost of the duplication process. (Signed by Judge Robert P. Patterson on 11/6/07)(bw) (Entered: 11/07/2007)
11/07/2007	<u>21</u>	ORDER as to Daniel B. Karron....[See Order]... Therefore, it is ORDERED that the retrieval and duplication of the computer files be begun forthwith and completed no later than 11/20/07; It is further ORDERED that, while the deft may be present during the duplication process to assist Mr. Ehuan and his designated representatives in identifying specific files to be retrieved and duplicated, the deft shall not operate any of the Computer Equipment at any time, shall conduct himself in a manner that does not interfere with the duplication process, and shall comply with all instructions given by Mr. Ehuan and his designated representatives. (Signed by Judge Robert P. Patterson on 11/6/07)(bw) (Entered: 11/07/2007)
11/08/2007	<u>22</u>	ENDORSED LETTER as to Daniel B. Karron addressed to Judge Robert P. Patterson, Jr from Ronald Rubinstein dated 11/7/2007 re: seeking approval to specifically include Ms. Lalla as a person authorized to be present during all stages related to the duplication of files contained on the seized computers. Endorsement: Application granted. The government should be cc's on all correspondence with the Court. (Signed by Judge Robert P. Patterson on 11/7/2007) (jar) (Entered: 11/08/2007)
11/19/2007	<u>23</u>	ENDORSED LETTER as to Daniel B. Karron addressed to Judge Patterson from Chi T. Steve Kwok re: Reschedule Conference., as to Daniel B. Karron, ORDER TO CONTINUE IN THE INTEREST OF JUSTICE as to Daniel B. Karron. Time excluded from 11/19/07 until 11/26/07; Pretrial Conference set for 11/26/2007 at 04:00 PM before Judge Robert P. Patterson. Status Conference set for 11/26/2007 at 04:00 PM before Judge Robert P. Patterson..ENDORSEMENT...Application Granted. Conference 11/26/07 at 4pm. Time is excluded until 11/26/07 under the Speedy Trial Act for defendant to decide if it will government. SO ORDERED. (Signed by Judge Robert P. Patterson on 11/19/07)(jw) (Entered: 11/19/2007)
11/26/2007		Minute Entry for proceedings held before Judge Robert P. Patterson:Status Conference as to Daniel B. Karron held on 11/26/2007. Deft present w/atty Ron Rubinstein. AUSA Steve Kwok present. Conference held. During the conference, the Court speaks to Art Ehuan, Digital Imaging, by telephone regarding access and copying of the files in question. Court orders Digital Imaging to provide the hardware for completion of the imaging. Mr. Ehuan notifies that the entire process should take several days if they have access as of this Friday, and that work should be completed by Friday, 12/7/07. Conference is scheduled for 12/10/07 at 4 p.m., all time is excluded -IOJ, through 12/10/07 to allow for discovery to be completed and for the deft to advise if motions are to be filed. (bw) (Entered: 11/30/2007)
11/26/2007		ORAL ORDER as to Daniel B. Karron. Time excluded from 11/26/07 until 12/10/07. Status Conference set for 12/10/2007 at 04:00 PM before Judge Robert P. Patterson. (bw) (Entered: 11/30/2007)
11/27/2007	<u>24</u>	STIPULATION AND ORDER as to Daniel B. Karron. It is hereby stipulated and agreed by and between the United States of America, by and through Assistant United States Attorney Chi T. Steve Kwok, the deft, and his counsel Ronald rubinstein Esq. as indicated. Signed by Chi T. Steve Kwok, AUSA; Daniel B. Karron, Deft.; Ronald Rubinstein, atty for deft. So Ordered (Signed by Judge Robert P. Patterson on 11/26/07)(pr) (Entered: 11/27/2007)
12/04/2007	<u>25</u>	ENDORSED LETTER as to Daniel B. Karron addressed to Judge Patterson from Ronald Rubinstein dated 12/3/07 re: Reschedule Conference., as to Daniel B. Karron(Status Conference set for 12/14/2007 at 09:30 AM before Judge Robert P. Patterson.)...ENDORSEMENT...Application Granted. The conference is adjourned to 12/14/07 at 9:30am. SO ORDERED. (Signed by Judge Robert P. Patterson on 12/3/07)(jw) (Entered: 12/04/2007)
12/05/2007	<u>26</u>	ENDORSED LETTER as to Daniel B. Karron addressed to Judge Patterson from Chi T. Steve Kwok, AUSA dated 12/4/07 re: Exclusion of time under the STA until the new conference date, 12/14/07 as indicated. Application granted. So Ordered.. (Signed by Judge Robert P. Patterson on 12/4/07)(pr) (Entered: 12/05/2007)
12/05/2007		Set/Reset Hearings as to Daniel B. Karron: Pretrial Conference set for 12/14/2007 at 09:30 AM before Judge Robert P. Patterson.. (pr) (Entered: 12/05/2007)
12/14/2007		Minute Entry for proceedings held before Judge Robert P. Patterson: Pretrial Conference as to Daniel B. Karron held on 12/14/2007. Dft Daniel B. Karron present w/atty Rubinstein. AUSA Kwok present. Some progress has been made, Gov't expects to receive copies from Digital Imaging today and will provide them to the dft on a rolling basis, if so required. (The next Pretrial Conference is set for 1/14/2008 at 04:00 PM before Judge Robert P. Patterson.) All time is excluded,

		IOJ, through 1/14/08 at which time the dft shall advise if motions are to be filed. (ja) (Entered: 12/17/2007)
12/20/2007	27	Letter by USA as to Daniel B. Karron, addressed to Judge Patterson, from Chi T. Steve Kwok, AUSA, dated 12/18/07, re: advising the Court and defense counsel of the status of the computer imaging process.... In the course of duplication process, there were a few "mismatches" where data failed to copy to the data storage devices provided by the dft.... At the dft's request, the independent expert will attempt to re-image the missed data. Once corrected, the Gov't will submit another letter to the Court and to defense counsel to advise that the copying process is complete. (ja) (Entered: 12/20/2007)
01/10/2008	28	Letter by USA as to Daniel B. Karron addressed to Judge Patterson from Chi T. Steve Kwok, AUSA dated 1/8/08 re: Advise the court & defense counsel that the independent computer forensic expert, Mr Art Ehuau, informed the AUSA that the computer imaging process is complete and that the verification process indicates that all files have been copied. (pr) (Entered: 01/10/2008)
01/11/2008	29	TRANSCRIPT of Proceedings as to Daniel B. Karron held on 11/6/07 before Judge Judge Robert P. Patterson. (tro) (Entered: 01/11/2008)
01/14/2008	30	TRANSCRIPT of Proceedings as to Daniel B. Karron held on 11/26/07 before Judge Robert P. Patterson. (cd) (Entered: 01/14/2008)
01/14/2008		Minute Entry for proceedings held before Judge Robert P. Patterson: Pretrial Conference as to Daniel B. Karron held on 1/14/2008, as to Daniel B. Karron(Status Conference set for 2/4/2008 at 04:00 PM before Judge Robert P. Patterson.) Deft present with atty Rubinstein. AUSA Kwok present. Conference is held, next conference is set for 2/4/08 at 4pm. All time is excluded, IOJ, through 2/4/08. The dft's bail is continued. (jw) (Entered: 01/16/2008)
01/24/2008	31	TRANSCRIPT of Proceedings as to Daniel B. Karron held on 10/09/07 before Judge Robert P. Patterson. (es) (Entered: 01/24/2008)
02/01/2008	32	ENDORSED LETTER as to Daniel B. Karron addressed to Judge Patterson from Ronald Rubinstein dated 2/1/08 re: Join the govt in their request to adjourn the status conference currently set for 2/4/08, agree to waive speedy trial until the next status conference..Application granted. Conference will be held on 2/13/08 @ 4pm. So Ordered. (see attached endorsed for the full text) (Signed by Judge Robert P. Patterson on 2/1/08)(pr) (Entered: 02/04/2008)
02/01/2008		Set/Reset Hearings as to Daniel B. Karron: Status Conference set for 2/13/2008 at 04:00 PM before Judge Robert P. Patterson.. (pr) (Entered: 02/04/2008)
02/13/2008		Minute Entry for proceedings held before Judge Robert P. Patterson: Pretrial Conference as to Daniel B. Karron held on 2/13/2008. Deft pres w/atty Ron Rubinstein; AUSA Steve Kwok pres. Trial date set for 6/2/08 @ 9:30am, 404b evidence due 3 weeks before trial (by 5/12/08), voir dire requests and requests to charge by 5/20/08. Bail is cont'd. All time excluded IOJ, through 6/2/08. (pr) (Entered: 02/20/2008)
02/13/2008		ORAL ORDER as to Daniel B. Karron Time excluded from 2/13/08 until 6/2/08., as to Daniel B. Karron(404b evidence due 5/12/2008, voir dire requests and requests to charge by 5/20/08. Jury Trial set for 6/2/2008 at 09:30 AM before Judge Robert P. Patterson.). (pr) (Entered: 02/20/2008)
03/11/2008	33	TRANSCRIPT of Proceedings as to Daniel B. Karron held on 1/14/2008 before Judge Robert P. Patterson. (ama) (Entered: 03/11/2008)
03/18/2008	34	ENDORSED LETTER as to Daniel B. Karron addressed to Judge Patterson from Attorney Ronald Rubinstein dated 3/17/08 re: submitted this letter as an application to be relieved as defense counsel. ENDORSEMENT: Application Denied. Mr. Karron is ordered to sell the apartment to the highest bidder by April 1, 2007. (Signed by Judge Robert P. Patterson on 3/18/08)(bw) (Entered: 03/18/2008)
04/02/2008	35	FILING ERROR - ELECTRONIC FILING FOR NON-ECF DOCUMENT - NOTICE of Letter regarding sale of apartment as to Daniel B. Karron (Attachments: # 1 Exhibit Exhibit A - Stipulation and Order)(Rubinstein, Ronald) Modified on 4/2/2008 (db). (Entered: 04/02/2008)
04/02/2008		***NOTE TO ATTORNEY THAT THE ATTEMPTED FILING OF Document No. 35 as to Defendant(s) Daniel B. Karron: HAS BEEN REJECTED. Note to Attorney Ronald Rubinstein : Other than letters filed under a cover marked Sentencing Memorandum, THE CLERK'S OFFICE DOES NOT ACCEPT LETTERS FOR FILING either through ECF or otherwise, except where the judge has ordered that a particular letter be docketed. Letters may be sent directly to a judge. (db) (Entered: 04/02/2008)
04/03/2008	36	ENDORSED LETTER as to Daniel B. Karron, addressed to Judge Patterson, from Ronald Rubinstein, atty for dft, dated 4/2/08, re: contract for an all cash sale of Dr. Karron's apartment for \$515,000.00 was agreed upon... In light of the aforementioned proposal, defense counsel requests approval to modify and incorporate the following language at page 4, paragraph 6(i) into the original stipulation and order dated 11/27/07, attached hereto as Exhibit A, to read as follows:.... 6) the net proceeds shall include all monies realized from the sale of the Condominium, except the following... - Judge endorsed: Application granted. So ordered. (Signed by Judge Robert P. Patterson on 4/3/08)(ja) Modified on 4/3/2008 (ja). (Entered: 04/03/2008)
05/12/2008	37	FILING ERROR - ELECTRONIC FILING FOR NON-ECF DOCUMENT - FIRST MOTION to Compel 404B Evidence(LETTER). Document filed by Daniel B. Karron. (Rubinstein, Ronald) Modified on 5/13/2008 (KA). (Entered: 05/12/2008)
05/12/2008	38	Letter by Daniel B. Karron addressed to Judge Patterson from Ronald Rubinstein dated 5/12/08 re: The defendant respectfully requests that the Government be compelled, within a reasonable time prior to trial, to provide the defense counsel with any prior or similar act evidence it intends to introduce at trial. Moreover, such pretrial notice would provide the defense an opportunity to challenge the evidence on its merits or discuss with the Government the possibility of stipulating to such evidence (jw) (Entered: 05/14/2008)
05/13/2008		***NOTE TO ATTORNEY THAT THE ATTEMPTED FILING OF Document No. 37 as to Defendant(s) Daniel B. Karron: HAS BEEN REJECTED. Note to Attorney Ronald Rubinstein : Other than letters filed under a cover marked Sentencing Memorandum, THE CLERK'S OFFICE DOES NOT ACCEPT LETTERS FOR FILING either through ECF or otherwise, except where the judge has ordered that a particular letter be docketed. Letters may be sent directly to a judge. (KA) (Entered: 05/13/2008)
05/14/2008	39	Request To Charge by USA as to Daniel B. Karron. (Kwok, Chi) (Entered: 05/14/2008)
05/14/2008	40	PROPOSED EXAMINATION OF JURORS by USA as to Daniel B. Karron. (Kwok, Chi) (Entered: 05/14/2008)
05/20/2008	41	Request To Charge by Daniel B. Karron. (Rubinstein, Ronald) (Entered: 05/20/2008)
05/20/2008	42	PROPOSED EXAMINATION OF JURORS by Daniel B. Karron. (Rubinstein, Ronald) (Entered: 05/20/2008)
05/20/2008		Minute Entry for proceedings held before Judge Robert P. Patterson: Status Conference as to Daniel B. Karron held on 5/20/2008. Deft present w/atty Ron Rubinstein. AUSAs Steve Kwok & Chris Everdell present. Conference held. Deft's bail is continued. (bw) (Entered: 05/27/2008)
05/21/2008	44	(S2) SUPERSEDING INDICTMENT FILED as to Daniel B. Karron (1) count(s) 1ss. (pr) (Entered: 05/29/2008)
05/22/2008	43	ENDORSED LETTER as to Daniel B. Karron, addressed to Judge Patterson, from Ronald Rubinstein, atty for dft, dated 5/21/08, re: request for an order granting the direct payment of \$100,000 to Rubinstein & Corozzo, LLP, for the firm's pretrial services from the proceeds of the sale of Dr. Karron's apartment, 4 N, 300 East 33rd St., NY, NY 10016. - Judge endorsed: So ordered. (Signed by Judge Robert P. Patterson on 5/22/08)(ja) (Entered: 05/22/2008)
05/30/2008	45	ORDER as to Daniel B. Karron, re: dft's notice pursuant to FRCP 16(b)(1)(C) and FRE 702 by the Court this morning, the dft's counsel is ordered to provide the Gov't and the Court by this afternoon with a written summary of the testimony of each expert that the dft intends to use, the basis and reason fro the experts' opinions, and the witnesses' qualifications to render such opinions. This information should be accompanied by a brief explanation as to why the opinion is relevant for the jury's consideration during the trial of this case. IT IS SO ORDERED. (Signed by Judge Robert P. Patterson on 5/30/08) Copies Mailed By Chambers.(ja) (Entered: 05/30/2008)
05/30/2008	46	NOTICE of Intent to offer Expert Testimony as to Daniel B. Karron (Rubinstein, Ronald) (Entered: 05/30/2008)
06/02/2008		Minute Entry for proceedings held before Judge Robert P. Patterson: Voir Dire begun on 6/2/2008 Daniel B. Karron (1) on Count 1ss. Defendant present with attorney Rubinstein. AUSA's Kwok & Everdell present. Jury panel summoned and sworn, selection begins. Jury panel continued and concludes with jury panel selected and sworn. Trial proceeds and adjourns. (jw) (Entered: 06/09/2008)
06/02/2008		Jury Impaneled as to Daniel B. Karron. (jw) (Entered: 06/09/2008)
06/02/2008		Minute Entry for proceedings held before Judge Robert P. Patterson: Jury Selection as to Daniel B. Karron held on 6/2/2008 (jw) (Entered: 06/09/2008)
06/02/2008		Minute Entry for proceedings held before Judge Robert P. Patterson: Jury Trial as to Daniel B. Karron held on 6/2/2008 (jw) (Entered: 06/09/2008)

06/03/2008		Minute Entry for proceedings held before Judge Robert P. Patterson: Jury Trial as to Daniel B. Karron held on 6/3/2008 (jw) (Entered: 06/09/2008)
06/03/2008	47	Letter by USA as to Daniel B. Karron addressed to Judge Patterson from Chi T. Steve Kwok dated 6/2/08 re: The Government respectfully submits this letter to move in limine to admit certain testimony that a number of Government witnesses are expected to give. For the foregoing reasons, the Government respectfully submits that the proffered testimony of Government witnesses concerning changes to Quickbooks the defendant made is non-hearsay evidence and admissible at trial. (jw) (Entered: 06/09/2008)
06/04/2008		Minute Entry for proceedings held before Judge Robert P. Patterson: Jury Trial as to Daniel B. Karron held on 6/4/2008. (ja) (Entered: 06/13/2008)
06/05/2008		Minute Entry for proceedings held before Judge Robert P. Patterson: Jury Trial as to Daniel B. Karron held on 6/5/2008. Juror #8 is not present (sprained ankle) and will not be able to attend trial today. Court and counsel convene. Juror #8 is replaced by alternate juror #1. Trial continues. (ja) (Entered: 06/13/2008)
06/06/2008		Minute Entry for proceedings held before Judge Robert P. Patterson: Jury Trial as to Daniel B. Karron held on 6/6/2008. (ja) (Entered: 06/13/2008)
06/09/2008		Minute Entry for proceedings held before Judge Robert P. Patterson: Jury Trial as to Daniel B. Karron held on 6/9/2008. Government rests. Dft presents case. (ja) (Entered: 06/12/2008)
06/10/2008		Minute Entry for proceedings held before Judge Robert P. Patterson: Jury Trial as to Daniel B. Karron held on 6/10/2008. Juror #12 is not present (swollen knee) and will not be able to attend trial today. Court and counsel convene. Juror #12 is replaced by alternate Juror #2. Trial continues. Defense rests. Gov't rests. Court addresses jury, summations and charge tomorrow. Trial is adjourned to 6/11/08. (ja) (Entered: 06/12/2008)
06/11/2008		Minute Entry for proceedings held before Judge Robert P. Patterson: Jury Trial as to Daniel B. Karron held on 6/11/2008. Court and counsel convene. Trial continues - Gov't summation, dft summation, and gov't rebuttal. Court charges jury. Alternates dismissed, Marshal sworn, jury retires to deliberate at 1:23 p.m. Jury returns verdict of guilty at 5:26 p.m. (copy of verdict sheet is attached). Jurors are discharged. Sentence date set for 9/15/08 at 4 p.m. Gov't moves for more restrictive conditions of bail as the dft is now a flight risk since he has no ties to the community. Gov't moves that electronic monitoring and regular pretrial supervision be added as conditions of bail. Dft argues that he is not a flight risk and offers the following: he has been offered a position at a university in Albany, NY; the dft's mother, who owns a home in Long Beach, NY, is currently in a nursing home on Staten Island, NY; the dft has a sister and brother in New Jersey and also a brother in New Paltz, NY; He has attended each court appearance and also appeared each day for trial (although he was late several days). The Court denies the Gov't's application for electronic monitoring, but grants the Gov't's application for regular pretrial supervision of the dft by the Pretrial Services Department. The Pretrial Services Department is also to be advised of any travel plans by the dft and the requested travel plans are to be submitted by Pretrial to the Court for approval. (ja) (Entered: 06/16/2008)
06/11/2008		Minute Entry for proceedings held before Judge Robert P. Patterson: Jury Trial as to Daniel B. Karron concluded on 6/11/2008. (ja) (Entered: 06/16/2008)
06/11/2008		JURY VERDICT as to Daniel B. Karron (1) Guilty on Count 1ss. (ja) (Entered: 06/16/2008)
06/11/2008		Minute Entry for proceedings held before Judge Robert P. Patterson: as to Daniel B. Karron, Sentencing set for 9/15/2008 at 04:00 PM before Judge Robert P. Patterson. (ja) (Entered: 06/16/2008)
06/13/2008	48	COURT EXHIBITS from Jury Trial of USA v. Daniel B. Karron, (S2-07-Cr-541(RPP)). (bw) (Entered: 06/13/2008)
06/13/2008	49	ENDORSED LETTER as to Daniel B. Karron addressed to Judge Patterson from Attorney Ronald Rubinstein dated 6/13/08 re: submitted to request thirty days from the guilty verdict in this matter or until Monday, 7/14/08 to submit a memorandum of law in support of its motions for a judgment of acquittal as to Daniel Karron on all counts. ENDORSEMENT: Application granted in part. The Court will extend defendants time to file its motion to June 25, 2008. (Signed by Judge Robert P. Patterson on 6/13/08)(bw) (Entered: 06/16/2008)
06/18/2008	50	TRANSCRIPT of Proceedings as to Daniel B. Karron held on June 5,9,10,11, 2008 before Judge Robert P. Patterson. (ama) (Entered: 06/18/2008)
06/18/2008	51	TRANSCRIPT of Proceedings as to Daniel B. Karron held on June 2,3,4,5, 2008 before Judge Robert P. Patterson. (ama) (Entered: 06/18/2008)
06/25/2008	52	ENDORSED LETTER as to Daniel B. Karron addressed to Judge Patterson from Ronald Rubinstein dated 6/25/08 re: Requests two additional days or until this Friday, June 27, 2008 to submit motions pursuant to Federal Criminal Procedure Rules 29 and 33 for a judgment of acquittal and a new trial as to Daniel B. Karron respectively as to Daniel B. Karron...ENDORSEMENT...Application granted. SO ORDERED. (Signed by Judge Robert P. Patterson on 6/25/08)(jw) (Entered: 06/25/2008)
06/27/2008	53	FIRST MOTION for New Trial Judgment of Acquittal pursuant to Fed. Crim. Rules P. 29 and 33. Document filed by Daniel B. Karron. (Attachments: # 1 Exhibit P-6)(Rubinstein, Ronald) (Entered: 06/27/2008)
06/30/2008	54	ENDORSED LETTER as to Daniel B. Karron addressed to Judge Robert P. Patterson from Chi T. Steve Kwok dated 6/30/2008 re: Government requests that the Court allow the Government until 7/21/2008 to respond to Defendant's motion. ENDORSEMENT: Application is granted. (Signed by Judge Robert P. Patterson on 6/30/2008)(D'Avanzo, Daniel) (Entered: 06/30/2008)
07/03/2008	55	TRANSCRIPT of Proceedings as to Daniel B. Karron held on 6/11/08 before Judge Robert P. Patterson. (ama) (Entered: 07/03/2008)
07/21/2008	56	MEMORANDUM in Opposition by USA as to Daniel B. Karron re 53 FIRST MOTION for New Trial Judgment of Acquittal pursuant to Fed. Crim. Rules P. 29 and 33.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G)(Everdell, Christian) (Entered: 07/21/2008)
07/25/2008	57	ENDORSED LETTER as to Daniel B. Karron, addressed to Judge Patterson, from Ronald Rubinstein, atty for dft, dated 7/25/08, re: Counsel w/consent of the Gov't requests three weeks or until 8/15/08 to reply to the gov't's most recent submission in opposition. -- Judge endorsed: Application granted. So ordered. (Reply due by 8/15/2008.) (Signed by Judge Robert P. Patterson on 7/25/08)(ja) (Entered: 07/25/2008)
08/15/2008	58	RESPONSE in Support by Daniel B. Karron re 53 FIRST MOTION for New Trial Judgment of Acquittal pursuant to Fed. Crim. Rules P. 29 and 33.. Response with Exhibits Attached (Rubinstein, Ronald) (Entered: 08/15/2008)
09/09/2008	59	ORDER as to Daniel B. Karron. The Court has reviewed the briefs of the parties in Defendant's motion for acquittal and a new trial. Defendant's reply brief raises arguments not made in his original motion papers. Accordingly, the Court will allow the government to file a surreply to those arguments to be filed by 9/17/08. (Signed by Judge Robert P. Patterson on 9/9/08)(bw) (Entered: 09/09/2008)
09/09/2008	60	ENDORSED LETTER as to Daniel B. Karron addressed to Judge Patterson from Attorney Ronald Rubinstein dated 9/8/08 re: submitted to request that defendant Karron's sentencing be adjourned from 9/15/08 4 p.m., until a date in mid to late October, 2008. ENDORSEMENT: Application granted. Sentencing adjourned to 10/6/08 at 4 p.m. (Signed by Judge Robert P. Patterson on 9/9/08)(bw) (Entered: 09/09/2008)
09/15/2008	61	REPLY TO RESPONSE to Motion by USA as to Daniel B. Karron re 53 FIRST MOTION for New Trial Judgment of Acquittal pursuant to Fed. Crim. Rules P. 29 and 33.. Surreply as Ordered by the Court (Kwok, Chi) (Entered: 09/15/2008)
10/02/2008		Minute Entry for proceedings held before Judge Robert P. Patterson: Oral Argument as to Daniel B. Karron held on 10/2/2008 on dft's pending motions, re: 53 FIRST MOTION for New Trial and Judgment of Acquittal pursuant to Fed. Crim. Rules P. 29 and 33, filed by Daniel B. Karron. Dft Daniel B. Karron present w/atty Rubinstein. AUSAs Kwok and Everdell present. Decision is reserved. Dft to make additional submission by 10/13/08. The dft's bail is cont'd. (Dft's Sentencing set for 10/20/2008 at 02:00 PM before Judge Robert P. Patterson.) (ja) (Entered: 10/06/2008)
10/10/2008	62	ENDORSED LETTER as to Daniel B. Karron addressed to Judge Robert P. Patterson from Ronald Rubinstein dated 10/10/08 re: Counsel requests permission to submit their objections and pre-sentencing memorandum on Tuesday, October 14, 2008. ENDORSEMENT: Application granted.. (Signed by Judge Robert P. Patterson on 10/10/08)(mme) (Entered: 10/10/2008)
10/13/2008	63	Sentencing Letter by Daniel B. Karron addressed to Judge Robert P. Patterson from Ronald Rubinstein dated October 13, 2008 re: United States v. Karron, 07 CR 541. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D-H, # 5 Exhibit I-L)(Rubinstein, Ronald) (Entered: 10/13/2008)
10/16/2008	64	ENDORSED LETTER as to Daniel B. Karron, addressed to Judge Patterson, from Ronald Rubinstein, atty for dft, dated 10/16/08, re: Dft's sentencing is scheduled for Monday, October 20, 2008. Mr. Karron respectfully requests permission to travel to Connecticut this weekend from Friday, October 17 to Saturday, October 18th.... Both Pretrial Services and USAs Office have been contacted and voiced no objection to Dr. Karon's request to travel. -- Judge endorsed:

		Application granted. So ordered. (Signed by Judge Robert P. Patterson on 10/16/08)(ja) (Entered: 10/16/2008)
10/16/2008	65	OPINION & ORDER as to Daniel B. Karron re: <u>53</u> FIRST MOTION for New Trial Judgment of Acquittal pursuant to Fed. Crim. Rules P. 29 and 33. Defendant Daniel B. Karron has moved pursuant to Rules 29 and 33 of the Federal Rules of Criminal Procedure for a judgment of acquittal or, in the alternative, for a new trial. Defendant was found guilty on a one count indictment, charging that, between October 2001 and June 2003, Defendant knowingly and intentionally misapplied federal assistance property valued at \$5,000 and more from an organization receiving more than \$10,000 of federal assistance during a one-year period, in violation of 18 U.S.C. § 666(a)(1)(A) and (b). Under these circumstances, these arguments of the defense fail, and Defendant's motions for a judgment of acquittal and for a new trial are denied. (Signed by Judge Robert P. Patterson on 10/16/08)(jw) (Entered: 10/17/2008)
10/17/2008	66	SENTENCING MEMORANDUM by USA as to Daniel B. Karron. (Everdell, Christian) (Entered: 10/17/2008)
10/17/2008	67	SENTENCING MEMORANDUM by Daniel B. Karron. (Attachments: # <u>1</u> Supplement First supplement of attachments, # <u>2</u> Supplement Second supplement of attachments)(Rubinstein, Ronald) (Entered: 10/17/2008)
10/20/2008		Minute Entry for proceedings held before Judge Robert P. Patterson: Sentencing held on 10/20/2008 for Daniel B. Karron (1) Count 1ss. [See Judgment filed on 10/23/08] (bw) (Entered: 10/23/2008)
10/20/2008		DISMISSAL OF COUNTS on Government Motion as to Daniel B. Karron (1) Count 1, is. (bw) (Entered: 10/23/2008)
10/23/2008	68	JUDGMENT In A Criminal Case (S2-07-Cr-541-01). Date of Imposition of Judgment: 10/20/08. Defendant Daniel B. Karron (1) was found guilty on Count(s) 1ss, after a plea of not guilty. Underlying Indictments are dismissed on the motion of the United States. Imprisonment: 15 Months. 15 months imprisonment is to be served as follows: 7 and 1/2 months under home confinement followed by 7 and 1/2 months imprisonment. Split sentence is to allow the defendant to care at home for his elderly mother who is seriously ill. Supervised Release: 3 Years. The above drug testing condition (see page 3 of judgment) is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. The defendant shall cooperate in the collection of DNA as directed by the probation officer. Special Conditions of Supervision (see page 4 of judgment). Assessment: \$100.00. Restitution: \$125,000.00. Special instructions regarding the payment of criminal monetary penalties: Mandatory special assessment imposed, \$100.00, is due immediately. The restitution shall be paid in monthly installments of 10% of gross monthly income over a period of supervision to commence 30 days after the date of the judgment. The defendant shall notify the United States Attorney for this district within 30 days of any change of mailing address that occurs while any portion of the restitution remains unpaid. If the defendant is engaged in a BOP non-UNICOR work program, the defendant shall pay \$25 per quarter toward the criminal financial penalties. However, if the defendant participated in the BOP's UNICOR program as a grade 1 through 4, the defendant shall pay 50% of his monthly UNICOR earnings toward the fine, consistent with BOP regulations at 28 C.F.R. Section 545/11. Interest to run after period of incarceration. (Signed by Judge Robert P. Patterson on 10/22/08)(bw) (Entered: 10/23/2008)
10/23/2008		Judgment entered in money judgment book as #08,1970 as to Daniel B. Karron in the amount of \$ 125,100.00, re: <u>68</u> Judgment. (dt) (Entered: 10/27/2008)
10/24/2008	69	ORDER as to Daniel B. Karron (Status Conference set for 10/27/2008 at 04:00 PM before Judge Robert P. Patterson.) The parties are ordered to appear before the Court at 4:00 p.m. on Monday, October 27, 2008 at 4:00 p.m. The Probation Office has advised this Court that the Bureau of Prisons would enforce the judgment entered by the Court on this matter to require Defendant to serve 15 months of imprisonment, and will not honor the home confinement component. Accordingly, pursuant to Rule 35(a) of the Federal Rules of Criminal Procedure, the Court may amend the sentence and judgment of Defendant to be seven and one-half months of imprisonment to be followed by 3 years of supervised release, the first seven and one-half months of which shall be home confinement so that Defendant may care for his mother. All other terms of the sentence to remain the same. A new judgment will be filed. (Signed by Judge Robert P. Patterson on 10/24/08)(jw) (Entered: 10/27/2008)
10/29/2008	70	NOTICE OF APPEAL by Daniel B. Karron from <u>68</u> Judgment. Filing fee \$ 455.00, receipt number E 667443. (nd) (Entered: 10/29/2008)
10/29/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet as to Daniel B. Karron to US Court of Appeals re: <u>70</u> Notice of Appeal - Final Judgment. (nd) (Entered: 10/29/2008)
10/31/2008	71	AMENDED JUDGMENT (Correction of Sentence by Sentencing Court) as to Daniel B. Karron (1), Found guilty on Count(s) 1ss, Imprisonment: Seven and one half months. The defendant shall surrender to the US Marshal for this district at 10am on 1/10/09. The defendant will serve three years on supervised release. Special Assessment of \$100 and Restitution of \$120,000.00. (Signed by Judge Robert P. Patterson on 10/31/08)(jw) (Entered: 11/03/2008)
11/05/2008	72	TRANSCRIPT of Proceedings as to Daniel B. Karron held on October 2, 2008 11:00 a.m. before Judge Robert P. Patterson. (mro) (Entered: 11/05/2008)
11/07/2008	73	ENDORSED LETTER; As to Daniel B. Karron addressed to Judge Robert P. Patterson from Ronald Rubinstein dated 11/7/2008 re: Dr. Karron respectfully requests permission to travel over the course of this weekend, Saturday November 8, 2008- Monday November 10, 2008 according to the planned itinerary in the attached letter. ENDORSEMENT: Application Granted. So Ordered. (Signed by Judge Robert P. Patterson on 11/7/2008)(D'Avanzo, Daniel) (Entered: 11/07/2008)
11/25/2008	74	TRANSCRIPT of Proceedings as to Daniel B. Karron held on 10/20/08 before Judge Robert P. Patterson. (ama) (Entered: 11/25/2008)
11/25/2008	75	TRANSCRIPT of Proceedings as to Daniel B. Karron held on 10/27/2008 before Judge Robert P. Patterson. (D'Avanzo, Daniel) (Entered: 12/02/2008)
12/12/2008	76	ENDORSED LETTER as to Daniel B. Karron addressed to Judge Robert P. Patterson from Ronald Rubinstein dated 12/12/2008 re: Dr. Karron respectfully requests permission to travel from Monday, December 15, 2008 through Wednesday, December 17, 2008. Dr. Karron has been asked by Alliance Tech. Systems Inc. (UATK") to participate in a conference with ATK employees and others on traumatic brain injury analysis and treatment. The conference takes place on Tuesday, December 16, 2008, in Chantilly, Virginia. Therefore, Dr. Karron will leave Monday, December 15, 2008, and travel by car to Chantilly, Virginia to attend the conference. After the conference, Dr. Karron intends to travel home through New Jersey and intends to meet with his brother Abe Karron located at 70 Curtis Avenue, Manesquan, N.J. 08736, and thereafter with Lee Goldberg located at 251 Mather Street, Princeton, N.J. 08540. Dr. Karron will stay at Lee Goldberg's house that night and return the following day, December 17, 2008, to the New York area. Both Pre-trial services and the US Attorney's Office have been contacted and voiced no objection to Dr. Karron's request to travel. ENDORSEMENT: Application Granted. So Ordered. (Signed by Judge Robert P. Patterson on 12/12/2008)(D'Avanzo, Daniel) (Entered: 12/12/2008)
12/30/2008	77	NOTICE OF ATTORNEY APPEARANCE: Laura Adrienne Oppenheim appearing for Daniel B. Karron. (Oppenheim, Laura) (Entered: 12/30/2008)
12/30/2008	78	FILING ERROR - ELECTRONIC FILING FOR NON-ECF DOCUMENT (LETTER) - FIRST MOTION for Bond <i>pending Appeal</i> . Document filed by Daniel B. Karron. (Oppenheim, Laura) Modified on 12/31/2008 (jar). (Entered: 12/30/2008)
12/30/2008	79	FILING ERROR - ELECTRONIC FILING FOR NON-ECF DOCUMENT (Letter) - MOTION for Bond <i>USA Opposing Bail Pending Appeal</i> . Document filed by USA as to Daniel B. Karron. (Kwok, Chi) Modified on 12/31/2008 (jar). (Entered: 12/30/2008)
12/30/2008		***NOTE TO ATTORNEY THAT THE ATTEMPTED FILING OF Document No. <u>78</u> as to Defendant(s) Daniel B. Karron: HAS BEEN REJECTED. Note to Attorney Laura Oppenheim : Other than letters filed under a cover marked Sentencing Memorandum, THE CLERK'S OFFICE DOES NOT ACCEPT LETTERS FOR FILING either through ECF or otherwise, except where the judge has ordered that a particular letter be docketed. Letters may be sent directly to a judge. (jar) (Entered: 12/31/2008)
12/30/2008		***NOTE TO ATTORNEY THAT THE ATTEMPTED FILING OF Document No. <u>79</u> as to Defendant(s) Daniel B. Karron: HAS BEEN REJECTED. Note to Attorney Chi Kwok : Other than letters filed under a cover marked Sentencing Memorandum, THE CLERK'S OFFICE DOES NOT ACCEPT LETTERS FOR FILING either through ECF or otherwise, except where the judge has ordered that a particular letter be docketed. Letters may be sent directly to a judge. (jar) (Entered: 12/31/2008)
12/30/2008	83	Letter by Daniel B. Karron addressed to Judge Patterson from Laura A. Oppenheim dated 12/30/08 re: Therefore, for all the reasons set forth above, it is respectfully submitted that Dr. Karron raises a substantial question of law that, if resolved in her favor on appeal, is likely to result in a reversal, and as a result, should be permitted to remain free on bail pending the outcome of her appeal (jw) (Entered: 01/12/2009)
12/31/2008	80	NOTICE OF ATTORNEY APPEARANCE: Marshall Aron Mintz appearing for Daniel B. Karron. (Mintz, Marshall) (Entered: 12/31/2008)
01/05/2009	84	Letter by Daniel B. Karron addressed to Judge Patterson from Marshall A. Mintz dated 12/31/08 re: This letter is submitted in response to the government's letter of December 30, 2008, opposing defendant's Application for Bail on Appeal. As an initial matter, it should be noted that the government seemingly concedes that

		Dr. Karron poses neither a flight risk nor a danger to the community. (jw) (Entered: 01/12/2009)
01/08/2009	<u>81</u>	OPINION AND ORDER #96931 as to Daniel B. Karron. The defendant's appellate counsel's request by letters dated December 30 and 31, 2008, seeking bail pending appeal is denied. The Court does not find that the defense application is made for purpose of delay. The Court's ruling is based on its disagreement with the defense argument headed "Conviction Under The Misapplication Theory of 18 U.S.C. Section 666(a)(1) Violates Due Process By Criminalizing Conduct Without Regard to Criminal Intent."...[See Order]... Accordingly, the Court finds that the argument raised in Defendant's letters do not raise a substantial question of law or fact likely to result in reversal, as required by 18 U.S.C. Section 3143(b). The application for bail pending appeal is denied. Dr. Karron must surrender as ordered by the Court on January 10, 2009. IT IS SO ORDERED. (Signed by Judge Robert P. Patterson on 1/8/09)(bw) Modified on 1/9/2009 (mro). (Entered: 01/08/2009)
01/08/2009	<u>82</u>	Letter by USA as to Daniel B. Karron, addressed to Judge Patterson, from Chi T. Steve Kwok, AUSA, dated 12/30/08, re: response to the dft's letter to the Crt, dated 12/30/08, seeking bail pending appeal. The dft's request should be denied because it is an abusive and transparent attempt to delay the inevitable at the eleventh hour and because the dft has not satisfied - indeed, cannot satisfy - her burden of showing that her appeal raises a substantial question of law or fact.... (ja) (Entered: 01/09/2009)
10/14/2009		Payment of RESTITUTION from Daniel B. Karron in the amount of \$126.64. Date Received: 10/14/09. (mn) (Entered: 10/14/2009)
11/09/2009		Payment of RESTITUTION from Daniel B. Karron in the amount of \$125.67. Date Received: 11/9/09. (mn) (Entered: 11/09/2009)
11/10/2009	<u>85</u>	MANDATE of USCA (certified copy) as to Daniel B. Karron re: 70 Notice of Appeal - Final Judgment USCA Case Number 08-5287-cr. Ordered, Adjudged and Decreed that the judgment of the District Court is AFFIRMED. Catherine O'Hagan Wolfe, Clerk USCA. Issued As Mandate: 11/9/2009. (nd) (Entered: 11/10/2009)
11/10/2009		Transmission of USCA Mandate/Order to the District Judge re: <u>85</u> USCA Mandate - Final Judgment Appeal,. (nd) (Entered: 11/10/2009)
12/15/2009		Payment of Restitution from Daniel B. Karron in the amount of \$125.67. Date Received: 12/15/09. (mn) (Entered: 12/15/2009)
01/11/2010		Payment of Restitution from Daniel B. Karron in the amount of \$125.67. Date Received: 1/11/10. (mn) (Entered: 01/11/2010)
02/09/2010		Payment of Restitution from Daniel B. Karron in the amount of \$125.67. Date Received: 2/9/10. (mn) (Entered: 02/09/2010)
02/11/2010	<u>86</u>	ENDORSED LETTER: As to Daniel B. Karron addressed to Judge Robert P. Patterson from Dr. D.B Karron dated 2/8/2010 re: Defendant writes to the court to request he be allowed to travel to Washington D. C. on February 19 for one day to serve on a panel for surgical robotics. ENDORSEMENT: Application Granted. After consultation with Probation Officer Danielo your application to travel to Washington D.C. and return the same day is hereby approved. SO ORDERED. (Signed by Judge Robert P. Patterson on 2/11/2010)(dnd) (Entered: 02/11/2010)
03/17/2010		Payment of Restitution from Daniel B. Karron in the amount of \$125.67. Date Received: 3/17/10. (mn) (Entered: 03/17/2010)
04/15/2010		Payment of Restitution from Daniel B. Karron in the amount of \$125.67. Date Received: 4/15/10. (mn) (Entered: 04/15/2010)
02/22/2011	<u>87</u>	Letter by Daniel B. Karron addressed to Dear Sirs from D.B. Karron dated 2/22/11 re: Enclosed is my Motion to Vacate under 28 USC 2255 form AO 243 (Rev 12/04) and attachments detailed below. I am presently completing my sentence from my conviction of violating Title 18 USC 666 from this court under case 07-cr-541 (RPP). As such, I am under sentence of this District Court. Exhibits attached. Application sent to Judge Patterson Chambers. (jw) (Entered: 03/01/2011)
02/22/2011		MOTION to Vacate under 28 U.S.C. 2255 Document filed by Daniel B. Karron. (jw) Civil case 1:11-cv-01874-RPP opened. (Entered: 03/22/2011)
03/02/2011		Payment of Restitution from Daniel B. Karron in the amount of \$25.01. Date Received: 3/2/11. (mn) (Entered: 03/02/2011)
03/28/2011	<u>88</u>	ORDER DIRECTING ORIGINAL SIGNATURE as to Daniel B. Karron re: MOTION to Vacate under 28 U.S.C. § 2255. The Court directs Movant to resubmit the signature pages of the Motion and the "Memorandum of Facts and Law" with original signatures within 30 days of the date of this Order as detailed in this Order. If Movant fails to comply with this Order within the time allowed, the action will be dismissed. (Signed by Judge Robert P. Patterson on 3/25/2011)(ab) (Entered: 03/28/2011)
04/01/2011		Payment of Restitution from Daniel B. Karron in the amount of \$25.02. Date Received: 4/1/11. (mn) (Entered: 04/01/2011)
04/12/2011	<u>89</u>	ORDER TO ANSWER as to Daniel B. Karron. The Court having received Movant's Motion to vacate his sentence, pursuant to 28 USC Sec. 2255, it is hereby ORDERED that: The USA for the SDNY shall file an answer or other pleadings in response to the Motion, along with transcripts of any relevant proceedings not already contained in the record, within sixty (60) days of the date of this Order. Movant may file reply papers, if any, within thirty (30) days from the date he is served with Respondent's answer. It is further ORDERED that the Clerk of Court serve copies of this Order, the Motion and all other papers in support thereof, by certified mail upon the USA for the SDNY. SO ORDERED. (Signed by Judge Robert P. Patterson on 4/8/2011) The Clerks Office Has Mailed Copies. (ja) (Entered: 04/12/2011)
04/12/2011		Transmission to Docket Assistant Clerk. Transmitted re: <u>89</u> Order To Answer, as to Daniel B. Karron, to the Docket Assistant Clerk for case processing. (ja) (Entered: 04/12/2011)
04/18/2011	<u>90</u>	Letter by Daniel B. Karron addressed to Judge Robert P. Patterson from Deborah Anne Dunlevy dated 4/6/2011 re: Ms. Dunlevy writes to attach Hayes Egagement letter, Hayes audio report stating "found" rent and DB Karron's personal tax return for 2001 - which reported the rent income and paid tax on this rent income. (ab) (Entered: 04/19/2011)
04/21/2011	<u>91</u>	Application for the Court to request counsel pursuant to 18 USC 3006A(g) as to Daniel B. Karron. Refer to 11 civ 1874 (RPP). (jw) (Entered: 04/21/2011)
04/28/2011	<u>92</u>	ENDORSED LETTER as to Daniel B. Karron addressed to Judge Robert P. Patterson from defendant Daniel B. Karron, dated April 28, 2011 at 13:37:21 Hours RE: I would humbly beg the court to submit a replacement 2255 Memorandum of Fact and Law, with three additional Declarations, in support of my 2255 motion to vacate my criminal conviction. I have prepared a motion to resubmit, and will resubmit it on along with the full documents MONDAY, May 2, 2011. ENDORSEMENT: Application granted. So Ordered. (Signed by Judge Robert P. Patterson on 4/28/2011); Also docketed in related Civil Case 11-cv-1874(RPP). (bw) (Entered: 04/29/2011)
04/29/2011		Payment of Restitution from Daniel B. Karron in the amount of \$20.03. Date Received: 4/29/11. (mn) (Entered: 04/29/2011)
05/04/2011	<u>93</u>	ENDORSED LETTER as to Daniel B. Karron addressed to Judge Robert P. Patterson from D.B. Karron dated 5/2/2011 re: The defendant writes to request a second extension to submit their 2255 Memorandum of Fact and Law, along with additional declarant submissions until 5/11/2011. ENDORSED: Application granted. (Signed by Judge Robert P. Patterson on 5/2/2011) (ab) (Entered: 05/04/2011)
06/06/2011		Payment of Restitution from Daniel B. Karron in the amount of \$25.04. Date Received: 6/6/11. (mn) (Entered: 06/06/2011)
06/29/2011		Payment of Restitution from Daniel B. Karron in the amount of \$125.05. Date Received: 6/29/11. (mn) (Entered: 06/29/2011)
07/16/2011	<u>94</u>	FILING ERROR - ELECTRONIC FILING IN NON-ECF CASE - MEMORANDUM in Opposition by USA as to Daniel B. Karron re MOTION to Vacate under 28 U.S.C. 2255. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Affidavit Rachel Ondrik(Everdell, Christian) Modified on 7/19/2011 (ka). (Entered: 07/16/2011)
07/19/2011		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF CASE ERROR. Note to Attorney Christian Everdell as to Daniel B. Karron: to MANUALLY RE-FILE Document Memorandum of Law in Oppositon to Motion, Document No. 94. This case is not ECF. (ka) (Entered: 07/19/2011)
07/20/2011	<u>95</u>	Appearance Bond Entered as to Daniel B. Karron in amount of \$50,000. \$50,000 PRB co-signed by 2 sureties acceptable to the Government to be signed within 30 days. Defendant to be released today on his own recognizance. Defendant is to surrender passport and make no new applications for a passport. Defendant's travel limits are restricted to the District of Columbia; Philadelphia, PA.; District of Connecticut; SDNY. [This bond is signed on June 20, 2007.] (bw) (Entered: 07/20/2011)
08/01/2011		Payment of Restitution from Daniel B. Karron in the amount of \$125.02. Date Received: 7/29/11. (mn) (Entered: 08/01/2011)

08/12/2011	<u>96</u>	ENDORSED LETTER as to Daniel B. Karron addressed to Judge Robert P. Patterson from D.B. Karron dated 8/12/11 re: Reschedule Briefing as to Daniel B. Karron(Defendant's Replies due by 9/15/2011)...ENDORSEMENT..Application Granted. The Defendant's reply papers will be due September 15, 2011. See Local Rules on length of Reply Briefs. SO ORDERED. (Signed by Judge Robert P. Patterson on 8/12/11)(jw) (Entered: 08/12/2011)
08/23/2011		Payment of Restitution from Daniel B. Karron in the amount of \$75.00. Date Received: 8/22/11. (mn) (Entered: 08/23/2011)
09/15/2011	<u>97</u>	ENDORSED LETTER as to Daniel B. Karron addressed to Judge Robert P. Patterson from Attorney D. B. Karron dated September 13, 2011 re: Request for short additional extension from Wednesday Sept 15 to Monday Sept 20; Request for additional pages totaling 25 pages, exclusive of Tables of Contents and Authorities in order to adequately rebut each point raised the Governments reply brief. I am answering pro se and with limited legal editing resources. ENDORSEMENT: The application on time for submission is granted. Any submission shall not be more than 25 pages. So Ordered. (Signed by Judge Robert P. Patterson on 9/14/2011) [*** Refer to Civil Case 11-cv-1874(RPP) also ***](bw) (Entered: 09/15/2011)
11/07/2011		Payment of Restitution from Daniel B. Karron in the amount of \$25.07. Date Received: 11/7/11. (mn) (Entered: 11/07/2011)
12/15/2011		Payment of Restitution from Daniel B. Karron in the amount of \$175.00. Date Received: 12/15/11. (mn) (Entered: 12/15/2011)
12/27/2011		Payment of Restitution from Daniel B. Karron in the amount of \$25.00. Date Received: 12/23/2011. (jd) (Entered: 12/27/2011)
01/05/2012	<u>98</u>	ORDER as to Daniel B. Karron. On December 23, 2011, Movant filed a "Motion under Federal Rules Criminal Procedure 41(g) for the return of property seized in criminal case." The Clerk of Court is directed to strike this Motion (Document #21) from the docket of this action and to open this Motion as nwe civil action assigned to my docket. SO ORDERED. (Signed by Judge Robert P. Patterson on 1/5/2012) [*** Also docketed in related Civil Case, 11-cv-1874(RPP); Document # 21 in Civil Case. ***] (bw) (Entered: 01/06/2012)
01/05/2012		MOTION to Vacate under 28 U.S.C. 2255 Document filed by Daniel B. Karron. (jw) (Entered: 01/11/2012)
01/09/2012		Payment of Restitution from Daniel B. Karron in the amount of \$250.00. Date Received: 1/6/12. (mn) (Entered: 01/09/2012)
01/18/2012	<u>99</u>	ORDER DIRECTING PAYMENT OF FEE OR IFP APPLICATION as to Daniel B. Karron. Plaintiff Daniel B. Karron brings this pro se "Motion under Federal Rules Criminal Procedure 41(g) for the return of property seized in criminal case." The Court construes the Motion to be a Complaint commencing a new civil action in equity in which Plaintiff seeks the return of property seized by the Government.... The Court directs Plaintiff to pay the \$350.00 filing fee or to submit a completed Request to Proceed In Forma Pauperis ("IFP" application), within thirty days of the date of this Order as detailed herein.... The application must bear the docket number 12 Civ. 0118 (RPP). No Summons shall issue at this time. If Plaintiff fails to comply with this Order within the time allowed, this civil action will be dismissed. The Court certifies, pursuant to 28 U.S.C. Sec. 1915(a)(3), that any appeal from this Order would not be taken in good faith and therefore in forma pauperis status is denied for the purpose of an appeal. See Coppedge v. United States, 369 U.S. 438, 444-45 (1962). IT IS SO ORDERED. (Signed by Judge Robert P. Patterson on 1/18/2012)(ja) (Main Document 99 replaced on 1/18/2012) (ja). (Entered: 01/18/2012)
02/01/2012	<u>100</u>	RESPONSE in Opposition by USA as to Daniel B. Karron re MOTION to Vacate under 28 U.S.C. 2255. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Kwok, Chi) (Entered: 02/01/2012)
02/02/2012		Case Designated ECF as to Daniel B. Karron. (jm) (Entered: 02/02/2012)
02/15/2012	<u>101</u>	ORDER as to Daniel B. Karron. On or about May 21, 2008, Daniel Karron (the "defendant") was charged in Superseding Indictment S2 07 Cr. 541 (RPP)(the "Indictment") with one count of federal program fraud, in violation of Title 18, USC, Sec. 666; the Indictment included a forfeiture allegation.... NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT: 1. The USMS, or its designee, shall issue a check in the amount of \$30,000.00 payable to the United States Attorney's Office, S.D.N.Y., representing the defendant's outstanding obligation to reimburse the Government for the Duplication Costs. The USMS, or its designee, shall forward said check, with the reference "U.S. v. Karron, 07 Cr. 541, Duplication Costs," to Assistant United States Attorney Barbara A. Ward, One St. Andrew's Plaza, New York, New York, 10007. 2. The USMS, or its designee, shall transfer the balance of the Funds to the Clerk of the Court, United States District Court, Southern District of New York, for partial payment on the defendant's outstanding restitution judgment. 3. The Clerk of the Court shall forward four certified copies of this Order to Assistant United States Attorney Barbara A. Ward, One St. Andrew's Plaza, New York, New York, 10007. SO ORDERED. (Signed by Judge Robert P. Patterson on 2/14/2012) The Clerks Office Has Mailed Copies. (ja) (Entered: 02/15/2012)
02/15/2012		Transmission to Docket Assistant Clerk. Transmitted re: <u>101</u> Order, as to Daniel B. Karron, to the Docket Assistant Clerk for case processing. (ja) (Entered: 02/15/2012)
02/15/2012		Forwarded Four certified copies of <u>101</u> ORDER, to AUSA Barbara A. Ward, by inter-office mail. as to Daniel B. Karron. (eef) (Entered: 02/15/2012)
02/27/2012	<u>102</u>	Letter by Daniel B. Karron addressed to Judge Robert P. Patterson from Defendant Daniel B. Karron, Fax dated February 17, 2012 re: Karron v. USA, 12-civ-0118(RPP), 11-civ-1874(RPP) and 07-cr-541(RPP); Motion for Stay of Order (Docket # 101). Reimbursing the Department of Justice for costs possibly not actually incurred, with no contemporaneous backup invoices, timesheets, written reports or copies of canceled checks in payment, is an injustice. (bw) (Entered: 02/27/2012)
03/01/2012		Payment of Restitution from Daniel B. Karron in the amount of \$250.00. Date Received: 2/29/12. (mn) (Entered: 03/01/2012)
03/05/2012	<u>103</u>	ORDER as to Daniel B. Karron. In connection with her Motion for the Return of Property under Fed. R. Crim. P. 41(g), the Court grants Applicant Daniel B. Karron's application under 28 U.S.C. § 1915 for leave to proceed in this Court without payment of fees. The Clerk of Court shall serve a copy of this Order and the underlying Motion by first-class mail upon the United States Attorney for the Southern District of New York and the Applicant. (Signed by Judge Robert P. Patterson on 5/3/2012)(pl); [*** Also docketed in related Civil Case, 12-cv-118(RPP), see doc.#9. ***] Modified on 3/5/2012 (bw). (Entered: 03/05/2012)
03/05/2012	<u>104</u>	ORDER as to Daniel B. Karron. Movant Daniel B. Karron has filed a Motion for the Return of Property under Fed. R. Crim. P. 41(g). No Summons shall issue. Movant is directed to produce a receipt issued to her by the Government with respect to the property in question and indicate those items she claims were not returned to her. That receipt is to be served upon the United States Attorney and the Court by March 8, 2012. The United States Attorney shall respond to the Motion and the receipt by March 12, 2012. For docketing purposes, the Government's "Response to Defendant's Rule 41(g) Motion for Return of Property and Defendant's Corrected Surreply in Support of Her 2255 Motion" filed in United States v. Karron, No. 07 Cr. 0541 (RPP), Feb. 1, 2012, ECF No. 100, will be treated by the Court as a response insofar as it responds to the Motion. Movant shall reply by March 19, 2012. If Movant does not serve a reply or request an extension of time in which to do so, the Court will consider the matter fully briefed. The Clerk of Court shall serve a copy of this Order and the underlying Motion by first-class mail upon the United States Attorney for the Southern District of New York and Movant. IT IS SO ORDERED. (Signed by Judge Robert P. Patterson on 3/3/2012) [*** NOTE: Also docketed in related Civil Case, 12-cv-118(RPP), see doc.#10. Documents served in Civil Case. ***] (bw) (Entered: 03/05/2012)
03/22/2012		Payment of Restitution from Daniel B. Karron in the amount of \$310.48. Date Received: 3/22/12. (mn) (Entered: 03/22/2012)
03/23/2012	<u>105</u>	ORDER as to Daniel B. Karron: Movant, by letter dated March 20, 2012, writes in response to the Court's Order of March 3, 2012, requesting an extension of time to reply to the Government's response to her Motion for the Return of Property under Fed. R. Crim. P. 41(g). Movant's request for an extension of time is granted. Movant shall reply by April 16, 2012. (Signed by Judge Robert P. Patterson on 3/22/2012) (ab) (Entered: 03/23/2012)
05/01/2012		Payment of Restitution from Daniel B. Karron in the amount of \$125.00. Date Received: 4/30/12. (mn) (Entered: 05/01/2012)
05/03/2012	<u>106</u>	OPINION AND ORDER as to Daniel B. Karron re: MOTION to Vacate under 28 U.S.C. 2255 filed by Daniel B. Karron. For the reasons set forth above, Petitioner's motion to vacate, set aside, or correct her sentence pursuant to 28 U.S.C. § 2255 is denied. No hearing is necessary, as the motion and the files and records of the case conclusively show that the prisoner is entitled to no relief. 28 U.S.C. § 2255; Armienti v. United States, 234 F.3d 820, 822-23 (2d Cir. 2000). The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of appeal. See Coppedge v. United States, 369 U.S. 438, 444-45 (1962). As the Petitioner makes no substantial showing of a denial of a constitutional right, a certificate of appealability will not issue. See 28 U.S.C. § 2253. IT IS SO ORDERED. (Signed by Judge Robert P. Patterson on 5/3/12)(jw) (Entered: 05/03/2012)
05/03/2012	<u>108</u>	REPLY Motion under Federal Rules Criminal Procedure 41(g) for the return of property seized in criminal case by Daniel B. Karron. Refer to 12 civ 118 (RPP). (jw) (Entered: 05/08/2012)
05/04/2012	<u>107</u>	AMENDED OPINION AND ORDER as to Daniel B. Karron. For the reasons set forth above, Petitioner's motion to vacate, set aside, or correct her sentence pursuant to 28 U.S.C. § 2255 is denied. No hearing is necessary, as the motion and the files and records of the case conclusively show that the [Petitioner] is

		entitled to no relief. 28 U.S.C. § 2255; <i>Armienti v. United States</i> , 234 F.3d 820, 822-23 (2d Cir. 2000). The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of appeal. See <i>Coppedge v. United States</i> , 369 U.S. 438, 444-45 (1962). As the Petitioner makes no substantial showing of a denial of a constitutional right, a certificate of appealability will not issue. See 28 U.S.C. § 2253. (Signed by Judge Robert P. Patterson on 5/4/2012) [*** Also docketed in related Civil Case, 11-cv-1874(RPP), see Doc.#26. ***] (bw) (Entered: 05/07/2012)
05/22/2012	<u>109</u>	APPLICATION FOR MOTION To Correct the Record of 11-civ-1974 (2255 Motion to Vacate) Document filed by Daniel B. Karron. (jw) (Entered: 05/23/2012)
05/24/2012	<u>110</u>	NOTICE OF APPEAL by Daniel B. Karron from <u>107</u> Memorandum & Opinion.(tp) (Entered: 06/05/2012)
05/24/2012		Appeal Remark as to Daniel B. Karron re: <u>110</u> Notice of Appeal. \$455.00 APPEAL FEE DUE. IFP DENIED 5/4/12. IFP APPLICATION WITH A COPY OF THE NOTICE OF APPEAL SENT TO USCA ALONG WITH THE INDEX. COA DENIED 5/4/12. (tp) (Entered: 06/05/2012)
05/31/2012		Payment of Restitution from Daniel B. Karron in the amount of \$295.00. Date Received: 5/31/12. (mn) (Entered: 05/31/2012)
06/05/2012		Transmission of Notice of Appeal and Certified Copy of Docket Sheet as to Daniel B. Karron to US Court of Appeals re: <u>110</u> Notice of Appeal.(tp) (Entered: 06/05/2012)

CLOSED, APPEAL, 2255, ECF, PRO-SE

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:11-cv-01874-RPP**

Karron v. USA
Assigned to: Judge Robert P. Patterson
Related Case: 1:07-cr-00541-RPP-1
Cause: 28:2255 Motion to Vacate / Correct Illegal Sentence

Date Filed: 02/22/2011
Date Terminated: 05/03/2012
Jury Demand: None
Nature of Suit: 510 Prisoner: Vacate Sentence
Jurisdiction: U.S. Government Defendant

Date Filed	#	Docket Text
02/22/2011	<u>1</u>	MOTION to Vacate, Set Aside or Correct Sentence (28 U.S.C. 2255). NO FURTHER ENTRIES. PLEASE SEE CRIMINAL CASE: 07-cr-541 (RPP) Document filed by Daniel B. Karron.(jw) (msa). (Additional attachment(s) added on 4/8/2011: # <u>1</u> Signature Page) (mt). (Entered: 03/22/2011)
02/22/2011	<u>3</u>	DECLARATION IN SUPPORT OF REQUEST TO PROCEED IN FORMA PAUPERIS. Document filed by Daniel B. Karron.(msa) (Entered: 03/22/2011)
03/22/2011	<u>2</u>	MEMORANDUM OF LAW in Support re: <u>1</u> Motion to Vacate/Set Aside/Correct Sentence (2255). Document filed by Daniel B. Karron. (Attachments: # <u>1</u> Part 2, # <u>2</u> Part 3)(msa) (Additional attachment(s) added on 4/8/2011: # <u>3</u> Signature Page) (mt). (Entered: 03/22/2011)
03/22/2011	<u>4</u>	Pro Se Acknowledgment Letter Mailed: Pro Se acknowledgment letter mailed to the plaintiff via USPS to the address noted on the Complaint on 3/22/2011. (msa) (Entered: 03/22/2011)
03/25/2011	<u>5</u>	DUPLICATE ORIGINAL STANDING ORDER (IN THE MATTER OF PRO SE PETITIONS FOR WRITS OF HABEAS CORPUS). All pro se petitions for writs of habeas corpus, whether brought under 28 U.S.C. 2241, 2254 or 2255, shall be deemed to include a petition for leave to appear in forma pauperis and the Clerk of Court is directed to file all such petitions as if in forma pauperis status had been granted without prepayment of fees. (See M-10-468 Order Filed January 10, 2000) (Signed by Judge Thomas P. Griesa on 1/10/2000) (jjg) (Entered: 03/25/2011)
03/28/2011	<u>7</u>	ORDER DIRECTING ORIGINAL SIGNATURE re: MOTION to Vacate under 28 U.S.C. § 2255. The Court directs Movant to resubmit the signature pages of the Motion and the "Memorandum of Facts and Law" with original signatures within 30 days of the date of this Order as detailed in this Order. If Movant fails to comply with this Order within the time allowed, the action will be dismissed. (Signed by Judge Robert P. Patterson on 3/25/2011) (ab) (Additional attachment(s) added on 3/29/2011: # <u>1</u> Memo of Law Signature Page, # <u>2</u> Motion Signature Page) (ad). (Entered: 03/28/2011)
03/28/2011	<u>8</u>	NOTICE OF APPEARANCE by Christian R. Everdell on behalf of USA (Everdell, Christian) (Entered: 03/28/2011)
04/12/2011	<u>9</u>	ORDER TO ANSWER, 28 U.S.C. Sec. 2255, the Court, having received Movant's Motion to vacate his sentence, pursuant to 28 USC Sec. 2255, it is hereby ORDERED that: The USA for the SDNY shall file an answer or other pleadings in response to the Motion, along with transcripts of any relevant proceedings not already contained in the record, within sixty (60) days of the date of this Order. Movant may file reply papers, if any, within thirty (30) days from the date he is served with Respondent's answer. It is further ORDERED that the Clerk of Court serve copies of this Order, the Motion and all other papers in support thereof, by certified mail upon the USA for the SDNY. SO ORDERED. (Also filed in 07 Cr. 0541 (RPP).) (Signed by Judge Robert P. Patterson on 4/8/2011) The Clerks Office Has Mailed Copies. (ja) (Entered: 04/12/2011)
04/12/2011		Mailed a copy of <u>1</u> Motion to Vacate/Set Aside/Correct Sentence (2255), <u>2</u> Memorandum of Law in Support, <u>9</u> Order to Answer, to United States Attorney's Office SDNY by Certified Mail # 7001 2510 0008 7682 3097 with Return Receipt Requested. (ecf) (Entered: 04/12/2011)
04/15/2011	<u>10</u>	APPLICATION TO DESIGNATE CASE AS AN ELECTRONIC CASE FILING (ECF) MATTER. Document filed by Daniel B. Karron.(mbe) (Entered: 04/18/2011)
04/19/2011	<u>11</u>	MEMO ENDORSEMENT on re: <u>10</u> APPLICATION TO DESIGNATE CASE AS AN ELECTRONIC CASE FILING (ECF) MATTER, filed by Daniel B. Karron. ENDORSEMENT: SO ORDERED. (Signed by Judge Robert P. Patterson on 4/19/2011) (bw) (Entered: 04/19/2011)
04/21/2011		Application for the Court to request counsel pursuant to 18 USC 3006A(g) Document filed by Daniel B. Karron. Refer to 07 cr 541 (RPP). (jw) (Entered: 04/21/2011)
04/28/2011	<u>12</u>	ENDORSED LETTER addressed to Judge Robert P. Patterson from D. B. Karron dated April 28, 2011 re: I would humbly beg the court to submit a replacement 2255 Memorandum of Fact and Law, with three additional Declarations, in support of my 2255 motion to vacate my criminal conviction. I have prepared a motion to resubmit, and will resubmit it on along with the full documents MONDAY, May 2, 2011. ENDORSEMENT: Application GRANTED. SO ORDERED. (Signed by Judge Robert P. Patterson on 4/28/2011) (jmi); ***Also docketed in related Criminal Case 07-cr-541(RPP).*** Modified on 4/29/2011 (bw). (Entered: 04/29/2011)
04/28/2011		***DELETED DOCUMENT. Deleted document number <u>13</u> ENDORSED LETTER. The document was incorrectly filed in this case. Already docketed as document # <u>12</u> . (bw) (Entered: 04/29/2011)
05/03/2011	<u>13</u>	ENDORSED LETTER: addressed to Judge Robert P. Patterson from Christian R. Everdell dated 4/29/2011 re: The Government requests that the Court amend its earlier order so that the Government's 60 day response period begins on May 2, 2011, the date the amended memorandum is to be filed. Under this proposed schedule, the Government's response would be due on Friday, July 1, 2011. The Government, of course, consents to a similar extension for the petitioner's 30-day period to file his reply.. ENDORSEMENT: Application granted. So Ordered. (Signed by Judge Robert P. Patterson on 5/2/11) (js) (Entered: 05/03/2011)
05/04/2011	<u>14</u>	ENDORSED LETTER addressed to Judge Robert P. Patterson from D.B. Karron dated 5/2/2011 re: Counsel request a second extension to submit their 2255 memorandum of fact and law. ENDORSEMENT: Application granted. So Ordered. (Signed by Judge Robert P. Patterson on 5/2/2011) (jfe) (Entered: 05/04/2011)
05/13/2011	<u>15</u>	ENDORSED LETTER addressed to Judge Robert P. Patterson from Christian R. Everdell dated 5/13/2011 re: the Governmept respectfully requests that the Court amend its scheduling order so that the Government's 60-day response period begins on the date of service - May 11, 2011. Under this proposed schedule, the Government's response would be due on Monday, July 11, 2011. ENDORSEMENT: Application Granted. (Signed by Judge Robert P. Patterson on 5/13/2011) (jar) (Entered: 05/13/2011)
05/18/2011	<u>16</u>	Letter addressed to Judge Robert P. Patterson from D.B. Karron dated 5/13/2011 re: My resubmitted 2255 Memorandum of Fact and Law was delivered to the Court on 5/11/2011. (mbe) (Entered: 05/19/2011)
07/11/2011	<u>17</u>	ENDORSED LETTER addressed to Judge Robert P. Patterson from Christian R. Everdell dated 7/8/11 re: The Government respectfully submits this letter to request a brief four-day extension to file its response to Dr. Karron's petition for habeas corpus relief in the above-captioned case. The Government's response is currently due on Monday, July 11, 2011. The requested extension would move the filing date to Friday, July 15, 2011. I contacted Dr. Karron earlier today regarding this request, but I have not yet received a response. ENDORSEMENT: Application granted. (Signed by Judge Robert P. Patterson on 7/8/11) (djc) (Entered: 07/11/2011)
08/12/2011	<u>18</u>	ENDORSED LETTER addressed to Judge Robert P. Patterson from D B Karron dated 8/12/2011 re: Counsel proposes to submit in 60 days from the Governments brief, due September 15. ENDORSEMENT: Application granted. The defendants reply papers will be due September 15, 2011. See Courts rules on length of reply briefs. So ordered. (Briefs due by 9/15/2011.) (Signed by Judge Robert P. Patterson on 8/12/2011) (ft) (Entered: 08/12/2011)
09/15/2011	<u>19</u>	ENDORSED LETTER addressed to Judge Robert P. Patterson from D. B. Karron dated 9/13/2011 re: Request for short additional extension from Wednesday Sept 15 to Monday Sept 20. We humbly request additional pages totaling 25 pages, exclusive of Tables of Contents and Authorities in order to adequately rebut each point raised in the Governments reply brief. ENDORSEMENT: The application on time for submission is granted. Any submission shall not be more than 25 pages. So Ordered. (Brief due by 9/20/2011.) (Signed by Judge Robert P. Patterson on 9/14/2011) (lmb) (Entered: 09/15/2011)
12/23/2011	<u>21</u>	***STRICKEN DOCUMENT. Deleted document number 21 from the case record. The document was stricken from this case pursuant to 22 Order. MOTION under Federal Rules Criminal Procedure 41(g) for the Return of Property seized in criminal case. Document filed by Daniel B. Karron.(mro) Modified on 1/6/2012 (tro). (Entered: 12/27/2011)

01/05/2012	<u>22</u>	ORDER: On December 23, 2011, Movant filed a "Motion under Federal Rules Criminal Procedure 41 (g) for the return of property seized in criminal case." The Clerk of Court is directed to strike this Motion (Document #21) from the docket of this action and to open this Motion as a new civil action assigned to my docket (Signed by Judge Robert P. Patterson on 1/5/2012) (js) (Entered: 01/05/2012)
01/05/2012		***DELETED DOCUMENT. Deleted document number [Order] 23. The document was incorrectly filed in this case (DUPLICATE of 22). (tro) Modified on 1/6/2012 (tro). (Entered: 01/06/2012)
01/05/2012		***STRICKEN DOCUMENT. Deleted document number 21 from the case record. The document was stricken from this case pursuant to <u>22</u> Order. (tro) Modified on 1/6/2012 (tro). (Entered: 01/06/2012)
02/10/2012	<u>23</u>	Letter addressed to Judge Robert P. Patterson from D.B. Karron, Ph. D. dated 2/8/2012 re: Request to have the Court post the docketed copy of plaintiffs 2255 corrected sur-reply papers as a downloadable PACER document. Document filed by Daniel B. Karron.(msa) Modified on 2/21/2012 (jcs). (Letter is Public View as per chambers of (RPP)) (Entered: 02/15/2012)
03/23/2012	<u>24</u>	ORDER: Movant, by letter dated March 20, 2012, writes in response to the Court's Order of March 3, 2012, requesting an extension of time to reply to the Government's response to her Motion for the Return of Property under Fed. R. Crim. P. 41(g). Movant's request for an extension of time is granted. Movant shall reply by April 16, 2012. (Signed by Judge Robert P. Patterson on 3/22/2012) (jfe) (Entered: 04/04/2012)
03/23/2012		Set/Reset Deadlines: Replies due by 4/16/2012. (jfe) (Entered: 04/04/2012)
05/03/2012	<u>25</u>	OPINION AND ORDER #101760: For the reasons set forth above, Petitioner's motion to vacate, set aside, or correct her sentence pursuant to 28 U.S.C. § 2255 is denied. No hearing is necessary, as the motion and the files and records of the case conclusively show that the prisoner is entitled to no relief. 28 U.S.C. § 2255; Armienti v. United States, 234 F.3d 820, 822-23 (2d Cir. 2000). The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of appeal. See Coppedge v. United States, 369 U.S. 438, 444-45 (1962). As the Petitioner makes no substantial showing of a denial of a constitutional right, a certificate of appealability will not issue. See 28 U.S.C. § 2253. (Signed by Judge Robert P. Patterson on 5/3/2012) Copies Faxed By Chambers. (lmb) Modified on 5/7/2012 (R). (Entered: 05/03/2012)
05/04/2012	<u>26</u>	AMENDED OPINION AND ORDER #101760: For the reasons set forth above, Petitioner's motion to vacate, set aside, or correct her sentence pursuant to 28 U.S.C. § 2255 is denied. No hearing is necessary, as the motion and the files and records of the case conclusively show that the [Petitioner] is entitled to no relief. 28 U.S.C. § 2255; Armienti v. United States, 234 F.3d 820, 822-23 (2d Cir. 2000). The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of appeal. See Coppedge v. United States, 369 U.S. 438, 444-45 (1962). As the Petitioner makes no substantial showing of a denial of a constitutional right, a certificate of appealability will not issue. See 28 U.S.C. § 2253. (Signed by Judge Robert P. Patterson on 5/4/2012) Copies Faxed By Chambers. (lmb); [*** Also docketed in related Criminal Case, 07-cr-541(RPP), see Doc.#107. ***] Modified on 5/7/2012 (bw). Modified on 5/8/2012 (R). (Entered: 05/04/2012)
05/17/2012	<u>28</u>	APPLICATION FOR MOTION TO CORRECT THE RECORD re: Motion to correct the record by docketing, under the appropriate docket the Petitioner Karron's motion practice briefs that are either miss docketed under the underlying criminal docket, mentioned in the docket or not docketed at all. Document filed by Daniel B. Karron.(mt) (Entered: 05/31/2012)
05/17/2012	<u>29</u>	CORRECTED SUR-REPLY MEMORANDUM OF FACT AND LAW IN SUPPORT OF PETITIONERS' 28 U.S.C. SECT 2255 MOTION TO VACATE CRIMINAL VERDICT. Document filed by Daniel B. Karron. (Received in Chambers on Dec. 2, 2011) (Attachments: # <u>1</u> Exhibit)(mt) Modified on 6/1/2012 (jar). (Entered: 05/31/2012)
05/17/2012	<u>30</u>	REVISED AND RESUBMITTED MEMORANDUM OF FACTS AND LAW TO ACCOMPANY 28 U.S.C. SECT 2255 MOTION TO VACATE CRIMINAL VERDICT. Document filed by Daniel B. Karron. (Document received in chambers April 28, 2011) (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(mt) Modified on 6/1/2012 (jar). (Entered: 05/31/2012)
05/24/2012	<u>31</u>	NOTICE OF APPEAL from <u>26</u> Amended Memorandum & Opinion. Document filed by Daniel B. Karron. Form D-P is due within 14 days to the Court of Appeals, Second Circuit. (ORIGINAL DOCUMENT ENTERED IN CRIMINAL CASE #07-cr-0541, DOC. #110) (tp) (Entered: 06/05/2012)
05/24/2012		Appeal Remark as to <u>31</u> Notice of Appeal filed by Daniel B. Karron. \$455.00 APPEAL FEE DUE. IFP DENIED 5/4/12. IFP APPLICATION WITH A COPY OF THE NOTICE OF APPEAL SENT TO USCA ALONG WITH THE INDEX. COA DENIED 5/4/12. (tp) (Entered: 06/05/2012)
05/29/2012	<u>27</u>	MEMO ENDORSED ON APPLICATION FOR MOTION TO CORRECT THE RECORD OF 11-CIV-1974 2255 MOTION TO VACATE: ENDORSEMENT: Application granted. The documents are now entered in 11-civ-1874 (Signed by Judge Robert P. Patterson on 5/28/2012) (js) (Entered: 05/29/2012)
06/05/2012		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>31</u> Notice of Appeal. (tp) (Entered: 06/05/2012)